C. A. 608 way, though all the members of a clan claim a common descent from the same ancestor, this descent is largely fictitious.

C. G. 565 642 Clans naturally differed in size and wealth, and this led in many parts of the Caucasus to a differentiation of classes and to a feudal structure of the society (Kabarda; lower regions of Dagestan). In Transcaucasia there was a further development into feudal monarchies (Georgia, Armenia). The original tribal structure was best preserved among the Georgian highlanders, the Svan, some of the W. Circassian tribes, the Ossetes, the Chechen and Ingush, and the tribes in the higher parts of Dagestan. For instance, the Pshav tribe (dziri, lit. "root") is divided into eleven clans (temi); the members of each clan bear the same name, but in everyday life are known under a second family name (gvari) derived from the proper name of a grandfather or great-grandfather. If a family expanded, new surnames were adopted. Where a differentiation of classes took place, the general pattern was the following. The upper class consisted of the nobility, in its turn subdivided into various ranks in the regions with more pronounced feudal traits (Georgia, Kabarda). The lower class consisted of the peasants; here too, a further stratification existed, depending on differences in degree of economic and personal freedom. The lowest classes were the slaves; mostly prisoners of war. In

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C. G. 565 Georgia the various grades of the clergy corresponded to the ranks of the nobility, the head of the church (Katholikos) being equal to the king. As to the functions of the different classes, Kabardian society may serve as an example. The function of the highest class, the princes, was to defend their subjects and to provide leadership in wars and predatory incursions into the territory of neighboring tribes (and in the nineteenth century, especially into that of the Russians); such raids were part of the everyday life of most N. Caucasian mountaineers. The representatives of the second class, the nobles, were always at the disposal of their prince, assisted him in his daily activities, accompanied him on his raids, and in general carried out his orders. They could also be called upon to provide the prince with cattle, corn, or other goods, and such a request could not be refused. When a prince died and left several sons, each of the nobles declared himself a subject of the one of his choice. Part of the production of the peasants belonged to the princes and nobles; the latter provided their subjects with draft animals, agricultural implements, and feed-corn. In case of discontentment the nobles and also the free peasants could leave the territory of their lords and settle elsewhere. The slaves had no rights and owned no property, they were employed in the cultivation of the soil or in the domestic service of the princes and nobles and could be sold at will.

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After the incorporation of the various parts of the Caucasus into the Russian empire, slavery and serfdom were gradually abolished (second half of the nineteenth century). Before the revolution, the Russian hold on the Caucasus depended to a large extent on the nobility (whose ranks, in Georgia as well as in the N. Caucasus, were put on a par with the Russian); after the revolution, of course, an appeal was made to the lower classes.

8: Lužbetak E-4 (no date) 1951 RHI Caucasia RHI

defend themselves against the raiders from Kabardia and the Kumykian plains. The Turlovs[1] did not affect the social organization of the Chechens very deeply. After the ruling family[A] had been compelled to leave Chechnia, the mountaineers continued to live as classlessly as before; each Chechen sib was a government in itself with little or no interest in the neighboring sibs.[124] In the *adat* collection of 1849 for the villages of Sunsha we read: "There is no special *adat* regarding the bride-price for princes because the inhabitants do not have any princes."[125]

(2) A perusal of any *adat* collection will convince us that *de jure* the Chechens do not have a nobility either. Thus, for example, in the collection of adats of 1844 of Vladikavkaz Province (the Dzher, Kists, Galgai, Tsori, Ingushi and Karabulaks) we read in § 2: "No Chechen family has any privilege over any other family." *De facto* however there are influential families. Any family or sib may become more important than the others by manifesting extraordinary bravery or more especially by outnumbering the others.[126] Such families (or to be more exact, sibs) decide what is "wrong" and what is "right," what should be done and what should be left undone.

(3) There are actually two classes: the free and the slaves, the latter being mainly prisoners of war and captives taken in raids. Reineggs describes how in the eighteenth century the Chechens would mercilessly rob strangers and then demand a ransom. If the victim happened to be a fellow-Mohammedan, he naturally could not become a slave[127] if he failed to be ransomed, and consequently was murdered. On the other hand if the captive was a non-Muslim and was of a poor family that was unable to ransom him, he had to remain as a slave.[128] The adats distinguish between two classes of slaves, the *lai* and the *yasir*, the difference between the two being that the *yasir* could be ransomed while the *lai* could not.[129] But in spite of this difference the lot of the *lai* was not as unbearable as might seem at first sight. He was, practically speaking, more or less only a nominal slave, for, as a rule, he was declared free after some time or was *ipso facto* emancipated through marriage.[130]

The situation in Daghestan is much the same as among the Chechen tribes. On the whole the *Lesghians* are very democratic, virtually classless. Class division, wherever it existed, was not of Lesghian origin but was brought from without. It can be roughly sketched as follows.

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[124] Ladyženskij, "Entstehung und Entwicklung des Staates bei den kaukasischen Bergvölkern *Zeitschrift für Völkerpsychologie und Soziologie*, VI (1930), pp. 441 ff.
N. Danilewski, *Der Kaukasus*, p. 141.
Leontovič, II, pp. 86, 114 § 2.
Berže, *Čečnja i Čečency*, p. 90.
Güldenstädt, *Beschreibung der kaukasischen Länder etc.*, pp. 148, 153.

[125] Leontovič, II, pp. 114, § 2, 123, § 1.

[126] A. H. Günther, "Zusammenstöße zwischen Gesetz und Gewohnheitsrecht im nördlichen Kaukasus," *Zeitschrift f. vergl. Rechtsw.*, XLVI (1931), p. 325. Reineggs, *op. cit.*, I, p. 38. Engelhardt und Parrot, *Reisen in die Krym und den Kaukasus*, I, p. 243.

[127] An Islamic prohibition. Cf. G. Bergsträsser, *Grundzüge des islamischen Rechts*, p. 38.

[128] Reineggs, *op. cit.*, I, p. 40.

[129] Leontovič, II, p. 80. Berže, *Čečnja i Čečency*, p. 90. Dubrovin, *Istorija*, Tome I, Bk. I, p. 452.

[130] U. Laudaev, "Primečanja k statě čečenskoe plemja," SSKG, VI (1872), p. 52. Leontovič, *l. c.* Berže, *op. cit.*, p. 91. Byhan, *La Civilisation Caucasienne*, p. 191.

[1] [foreign princely family invited to be rulers of the Chechens in the eighteenth century--Analyst]

[24] (1) Most of the Lesghian peoples were ruled by their own freely-elected elders independently of any prince. Of course, the Avars and the Laks had their khans,[121] while the Andi were subject to Kumykian and Avarian rulers.[122] After the Russian conquest of the Caucasus, chief native officials approved by the Military Government were known as naïbs.[123]

[565] [644] (2) Despite the fact that the Lesghian peoples have been subject to a more or less foreign aristocracy—the gradation being khan, bek, uzden, commoner and slave—[124] the people themselves remained essentially classless. Interest centred mainly around one's own sib. What generally determined precedence among the different sibs was, just as among the Chechens, not noble birth but the size of the sib.[125]

(3) Commoners.

● [567] (4) Slaves. Lesghian slaves were usually prisoners taken in war or raids.[126] On paying a ransom or after a 10-year service or on marrying a Mohammedan the slave would be emancipated.[127]

The SOUTHERN CAUCASIANS. The complexity of the Georgian social classes surpasses even that of the Cherkess, a fact of which a mere glance through King Vakhtang's Code will convince us.[128] It should be noted that the [193] clergy do not form a distinct class; rather their class is determined by their ecclesiastical rank. In the following outline we shall also indicate the approximate social rank connected with the various ecclesiastical dignities.

(1) The King. The crown is inherited by the first-born male child. The *Catholicos* i. e., Patriarch of Iberia, ranks immediately after the King. (King Vakhtang's Code § 25.)

(2) Princes:

(a) The princes of the first order *(didebuli thavadi)*. Archbishops. (§ 26)
(b) Princes of the second order. Bishops. (§ 27)
(c) Princes of the third order and archimandrites. (§ 28)

(3) Nobles *(Aznauri)*:

(a) *Aznauri* of the first order and priors with the function of an abbot. (§ 29)

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[121] Cf. Gadži-Ali, "Skazanie očevidca o Šamilě," SSKG, VII (1873), pp. 6.

[122] Potocki, *Voyage dans les steps d'Astrakhan et du Caucase*, II, p. 165.

[123] The word is derived from the Arabic *nā'ib*. The territory over which the naib was in charge we shall call "naibate". For an excellent description of a naib family see Halil Beg Mussayassul, *Das Land der letzten Ritter*, München, 1936.

[124] Cf. Sveščin, "Očerk narodonaselenija, nravov i obyčaev Dagestancev," ZKO, II (1853), p. 64.

[125] Cf. Emad-Bey, *Der Kaukasus, seine Berge, Völker und Geschichte*, p. 130.

[126] Klaproth, *Beschreibung der russ. Prov.*, p. 117.

[127] Reineggs, *op. cit.*, I, p. 87.
The social stratification of Daghestan has been treated in: A. Tomai, "Materialy k voprosu o feodalizme v istorii Dagestana," *Revoljucionnyj Vostok*, (Moscow, 1935), No. 5, pp. 116—137.

[128] Cf. Karst's edition, pp. 81—85.

565 (1) The upper class, known as *uzdenleg*, the *aldars*,[146] though forming a kind of nobility, cannot be compared with the Kabardian nobles because *any* Tagaurian sib could work itself up to the top of the social ladder through wealth or number.[147] In Digoria the upper class were known as *badulyats*.

(2) The middle class people or *farsagleg* were the free tenants.

[595] (3) The *kavdassarts* were all those born of a secondary wife *(numulus)* or of a concubine. They formed what might be called a bondsmen's class.[148]

[567] (4) The slaves or *gurziag (gurdziag)* is a word derived from "a Georgian," clearly showing that the slaves were mainly prisoners taken in war and raids.

We find similar social ranking among the neighbouring TURCO-MONGOLS. The Kumyks were formerly divided into three classes: (1) the nobles of the first, second, and third order *(uzden)*; (2) the bondsmen or *chagars*; (3) the slaves or *kuls*.[149] The Karachai used to be divided into four classes:[150] (1) the princes *(tav big)*; (2) nobles *(kara-uzden)*; (3) serfs *(ilgyly-kul)*; (4) slaves *(ilglysizkul)*. The Turkomans of Stavropol Government, while still nomads, were perhaps the most classless of all peoples inhabiting the Caucasus, even more so than the Alaghirs and the Chechens.[151] The Kalmucks are divided into three main social ranks: the nobles *(saisan)*, the clergy, and the commoners *(aimak)*.[152]

Now that we have learned the social ranks as they existed before the abolition of slavery in 1867, we are in a position to study the affects of social stratification on mating.

565 582 The NORTHWESTERN CAUCASIANS. We cannot help marvelling at the complicated ranking of the *Cherkess* society. When feudalism was at its height in Circassia, not only were inter-class marriages impossible, but even marriages between persons from different subdivisions of the same class and even between persons of different sub-subdivisions of the same subdivision. Thus a nobleman might not marry a girl unless her family had been raised to nobility about the same time as his.[153] A very similar situation prevailed in *Abkhazia*.[154]

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[146] They could own land and slaves.

[147] Ladyženskij, *op. cit.*, pp. 439 f.

[148] *Kavdassart* means literally "one born in a stable," while *numulus* means "a nominal or illegitimate wife."

[149] The bondsmen were originally free land-owners, who later became bondsmen by falling into debts which they were unable to pay off. As a result they became subject to their lords even much more than were the Ossetine *farsagleg*, for the latter had the right to abandon their masters while the *chagars* enjoyed no such right.
For more about the Kumykian social ranks see Ladyženskij, *op. cit.*, pp. 33—37.

[150] For a full description of feudalism among the Karachai in the nineteenth century see E. N. Studeneckaja, "K voprosu o feodalizme i rabstve v Karačae XIX v.," SE, 1937, No. 2—3, pp. 45.

[151] Ladyženskij, *op. cit.*, p. 443.

[152] Zichy, *Kaukázusjæi középázsiai utazásai*, p. 30. (Part I.)

[153] Reinegg, *op. cit.*, I, p. 252. Longworth, *A Year among the* Circassians, I, pp. 228, 278.

[154] P. I. Kovalevskij, *Kavkaz, Narody Kavkaza*, p. 35.

1/n [among the Tagaurians in southern Caucasia.--Analyst]

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adulterer and the adulteress escape, they both become blood-enemies of the husband and must pay a bloodwite of Rs. 100.[59] 684

In case of fornication, marriage between the two lovers becomes obligatory. The lover may divorce his wife immediately after marriage, but by so doing he incurs the obligation of paying the customary *kebin-khak*.[60] If the girl is too young to marry, the man must wait till she becomes old enough.[61] In case of incest, the regulations set down in the *šarî'a* are followed rather than the *adats*.[62]

Pederasty and sodomy occur very seldom among the North Caucasians and Ossetes, whereas they are rather frequent among the neighbouring Karachai and Taulu.[63] [838]

The KURDS also have the practice of cutting off the adulteress' ears and nose.[64]

§ 2. PROBLEMS AND GENERAL CONCLUSIONS

1. Historical Reconstruction

Despite the many dissimilarities we have noticed in the customary penal laws of the various peoples of North Caucasus, it is quite possible that the differences are merely different *stages* of one and the same *adat*. (1) According to the oldest customary laws, the adulteress had to be punished, and she alone. She was punished if she had been caught in the act, or even if the husband had learned of her infidelity from others. Sometimes mutilation (nose, ears or arms were cut off, hair clipped, cheeks slit, etc.) preceded the execution; sometimes, after thus being mutilated, she was sold into slavery. (2) It seems that later on, at least in some parts of North Caucasus, she might be mutilated, but not killed. If the jealous husband would nevertheless take her life, he would become a blood-enemy of her relatives. (3) Later still, especially, but not exclusively, through Islamic influence, the adulterer too had to be punished. He would have to pay a certain sum to the offended husband, a sum sufficient to reconcile himself with the relatives of his adulterous wife, whom he had slain and thereby become their blood-enemy. The *adats* which insist on the *death* of the adulterer seem to be relatively recent. (4) As a precaution against over-hasty and unjunst action, the husband was obliged to kill both partners or none at all. To slay only the adulteress or only the adulterer was now looked upon as suspicious and even unjust, and therefore the avenger himself became a blood-enemy of the relatives of the partner he happened to kill. The insistence on killing the culprits *in the act* seems also to be a later innovation, a means to check false suspicion and [567]

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[59] "Adaty žitelej kumykoj ploskosti," SSKG, VI (1872), p. 13; Leontovič, II, p. 205, § 13. See also N. Semenov, "Očerki narodnych obyčaev Kumykov Terskoj Oblasti," *Terskij Sbornik* II (1892), No. 2, Part 2, pp. 75 f.

[60] The *kebin-khak* is generally Rs. 100. Cf. Semenov, *op. cit.*, p. 75.

[61] "Adaty žitelej kumykoj ploskosti," p. 15, § 10.

[62] "Adaty žitelej kumykoj ploskosti," p. 13.

[63] Kovalevskij, *Coutume contemp.*, p. 340.

[64] Jankó, "Néprajzi, etc.," Zichy's *Kaukázusi és középázsiai utazásai*, p. 62.

1/n [Sic.. Analyst]

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writings of the Arabs al-Mas'ûdî and Abu-El-Kasim. They claim that the father offers one of his daughters to his guest as a mere point of hospitality. Stählin[72] claimed that illegitimate children were treated the same as legitimate. On the other hand, a large number of authors, such as Struys, Lamberti,[73] Neumann,[74] and others, claim that the Cherkess women are extremely modest. The true solution to these conflicting reports is the one suggested by Ladyženskij.[75] "Den richtigsten Standpunkt nimmt in der Frage Garni ein (Reisen in den Ländern der asiatischen Türkei und des Kaukasus, 1854). Er betont die Keuschheit der freien Frauen und den Hetärismus der Sklavinnen." This is also Dirr's opinion.[76] In other words, the reports are true only to a certain extent: the freewomen are exceptionally modest, while the slaves exceptionally immodest, religious prostitution and sexual hospitality being restricted to slaves. Such conduct in regard to freewomen would be impossible considering the great economic loss the family would suffer from defloration, considering also the virginity test, and, finally, the fear of illegitimate children. On the other hand, defloration, virginity, and illegitimate children in the case of *slaves* would offer no serious difficulty.

We have a similar problem in regard to some of the Lesghians. As we have mentioned above, Herodotus wrote of the Lesghians that "they copulate in public as beasts are wont to do."[77] Przewalski reported that at Tsunta-Akhvakh unmarried couples were allowed to sleep together.[78] Baddeley confirms Przewalski's report: "It is the custom for a host to give his guest one of his daughters or some other girl to sleep with. The couple may ... do what they like provided the maidenhead remains intact; and even that depends on the fair one's goodwill. But should the guest so far forget himself as to force her, he will pay for it with his life. Those people think meanly of a girl who has never slept with an honoured guest."[79] Baddeley's guide, a native of Ossetia, "accepted this as a fact, and added that something of the same sort went on in certain of the older Cossack 'stanitsas' on the Terek, instancing Tchervlennaya."[80] Herodotus' report is useless, for we do not know exactly who is meant, but there is no reason to doubt Przewalski and Baddeley. However, we wish to stress that this is a custom found exclusively in Tsunta-Akhvakh and is, by no means, the picture of entire Daghestan. Tsunta-Akhvakh is only a *village* (in 1901 it had only 415 inhabitants), which constitutes an *exception*

[72] Jacob v. Stählin, *Nachrichten von Tschirkassien oder von dem Karbardinischen Lande*, 1771, referred to by Ladyženskij, FT, p. 185.

[73] Cf. Ladyženskij, *l. c.*

[74] Neumann, *Rußland und die Tscherkessen*, cf. Ladyženskij, *l. c.*

[75] Ladyženskij, *l. c.* Ladyženskij, "Zur Erforschung der Rechtsgewohnheiten, etc.," pp. 243 f.

[76] Ladyženskij, FT, p. 184. Cf. Castagné, "Le droit coutumier familial des montagnards du Caucase," p. 252: "Supposer que le montagnard adighé pût proposer sa fille ou sa femme a un hôte, serait comprehensible si la femme des montagnards avait été esclave, mais cela n'étant pas, une supposition de ce genre doit être considéré comme sans fondement aucun."

[77] Cited by Potocki, *Voyage dans les steps d'Astrakhan et du Caucase*, I, p. 240; to which Potocki adds, "Celle de quelques vallées du Caucase sont encore très libres."

[78] Kovalevskij, *Zakon*, II, p. 189.

[79] Baddeley, *op. cit.*, II, pp. 13 f.

[80] Baddeley, *op. cit.*, *II*, p. 14.

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Chapter XIII

Patria Potestas

All North Caucasian peoples recognize one head of the family. In the present chapter we shall study the extent of this authority. Does the father prossess *absolute* power over the members of his family?

§ 1. THE RIGHT TO SELL CHILDREN INTO SLAVERY

Since slavery was abiloshed in 1867, we must have recourse to sources prior to that date.

The NORTHWESTERN CAUCASIANS. According to an *adat* of the Black Sea Line, Kuban and Terek Territories (§ 139), the father does not have a right to sell or give away his sons.[1] However, Longworth, who spent a year among these people, expressly states the contrary. "The right," he says, "is never disputed, though it is considered disreputable for an ouzden, or even a freeman in good circumstances, to sell his children to slave merchants."[2] A certain greedy Cherkess once sold his brother's children whose guardian he was, for which, we are told, "he was universally execrated,"[3] though, evidently, he had the *right* to do so. In other words, it is very essential to distinguish between the *right* to sell children into slavery and the actual *practice*, which is strongly discouraged.

Taitbout de Marigny, who had visited the Cherkess several decades before Longworth, left us an incomplete report of what he had observed. The Cherkess are supposed to have sold their sons and daughters for Turkish goods with absolute indifference.[4] His visit, however, was too brief and superficial. When speaking of "indifference" Taitbout de Marigny should have made a second very important distinction, namely, whether the children thus sold into slavery belonged to the same social class as the father or whether they were born of a secondary or slave wife. Longworth makes this very important observation: "The great proportion ... of women who are exported are of the fourth or servile class ..."[5]

The NORTHEASTERN CAUCASIANS. The Chechens have no *adats* which determine or limit in any way the authority of the father over his children.[6] Potocki describes the sad story of an Ingush who sold his daughter

[1] Leontovič, II, p. 250, § 139.
[2] Longworth, *A Year among the Circassians*, I, pp. 279 f.
[3] Longworth, *op. cit.*, I, p. 180.
[4] *Voyage en Circassie en 1818*, p.6.
[5] Longworth, *op. cit.*, I, p. 279.
[6] Leontovič, II, pp. 96, 112, § 8.

for some Persian cloth worth Rs. 240. While the deal was still going on, the girl fled and hanged herself.[7]

We have found no purely Lesghian *adats* prohibiting or sanctioning the selling of children into slavery, in spite of the despotic authority of the father.[8] Although we do not know the attitude of customary law in this regard, we do know that the *šarī'a* strictly forbids not only the selling of a fellow-Mohammedan into slavery, but expressly condemns the selling of one's own children.[9]

The SOUTHERN CAUCASIANS. In times of famine the mountain tribes of Georgia used to sell their children; the Svans, for example, "for 700 to 1,200 francs each" (Mourier, *Guide au Caucase*, I, p. 147).

It was this same poverty that led their neighbours, the Tualti (SOUTHERN OSSETES), to kill their girls and sell their boys.[10]

In short, everywhere in the Caucasus the *right* to sell children is not disputed; the practice, however, is *rare*, except in time of absolute necessity or in regard to children who are not considered fully members of the family.

§ 2. JUS VITAE NECISQUE

The NORTHWESTERN CAUCASIANS. The *adats* expressly mention that a father does not have the right over life and death of his children.[11] However, he may condemn a *perverse* member of the family to death: he must, of course, first chastize him, then disinherit him, and finally, if all these means fail and the son remains incorrigeable, the father, acting as supreme judge of the family, may hand him over to a servant to be killed.[12] In spite of these *adats* it seems that formerly the father actually had the right to kill his child at will.[13]

The NORTHEASTERN CAUCASIANS. The Chechen adat collection of 1843 tells us that "there is no customary law defining or limiting the authority of the father over his children."[14] However, in practice, he enjoys this unlimited authority only as long as the children are small. Once his sons have grown up, they may take vengeance on their own father for killing one of their brothers.[15] It is quite possible that at one time the father actually possessed the *jus vitae necisque*, a right that had disappeared long before the *adat* collections of the past century were made. By no means does a husband have a right over the

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[7] *Voyage dans les steps d'Astrakhan et du Caucase*, II, p. 123.

[8] Cf. Omarov, "Kak živut Laki," SSKG, IV (1871), p. 18.

[9] G. Bergsträsser, *Grundzüge des islamischen Rechts*, p. 39.

[10] Kovalevskij, *Coutume contemp.*, p. 189.

[11] Leontovič, II, p. 250, § 138.

[12] *ibid.* See also Leontovič, I, p. 152, § 81.

[13] Dubrovin, *Istorija*, I, i, pp. 168 f; P. I. Kovalevskij, *Kavkaz, Narody Kavkaza*, p. 56.

[14] Leontovič, II, p. 112, § 8.

[15] M. O. Kosven, "Avunkulat," SE, 1948, No. 1, p. 18; Leontovič, II, pp. 112 (§ 8), 251 (§ 143), 258 (§ 206); Berže, *Čečnja i Čečency*, p. 96.

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IV. CONCLUSION

Chapter XIV

Conclusion

§ 1. MARRIAGE AND THE FAMILY OF THE CAUCASIANS IN THE LIGHT OF HISTORY

1. Russian (Soviet and Pre-Soviet) Influence

That the Russian military, political, and cultural influence has greatly affected, changed and unified, the marriage and family customs of the various peoples of the Caucasus cannot be denied. We need but recall some of the many facts we have pointed out in our comparative study.

(1) The Russians, we have seen, severely prosecute *polygyny* (*supra*, p. 39) and not without success. The relative scarcity of polygamous unions throughout North Caucasus and the neighbourhood, regardless of how ethnically different the tribes may be, must be attributed, at least in part, to Russian legislation.

(2) In recent times both mates have begun to enjoy greater *freedom of choice*, (*supra*, p. 76), thanks to the Russian insistance on freedom in mating as a *conditio sine qua non* for a legally valid marriage.

(3) We have also observed how rapidly *bride purchase* was disappearing or assuming an entirely different significance throughout the Caucasus, again, at least in part, owing to Russian legislation, industrialization, and education (*supra*, pp. 83, 87, 90).

(4) *Bride price*, *bloodwite*, etc. were formerly measured in cows, horses, sheep, and oxen, but now they are measured in money : not in live stock but in Russian rubles ! (*Supra*, pp. 82—89, 95, 168—179).

(5) The Russian opposition to *bride capture* has helped to make the practice become rare (*supra*, pp. 97 f). It was Russian positive law gaining ascendency over the *patria potestas* and its insistance on freedom of choice that encouraged and even defended elopement (*supra*, p. 98).

(6) The general disappearance of slavery and the associated sociological consequences, e. g., *the marriage impediments*,

(7) the *less severe penalties for sex crimes* which are gradually being adopted by all tribes of Caucasia (*supra*, pp. 175, 180).

(8) and the improvement in the *status of the female sex*, all must be reckoned among the effects of Russian and Soviet influence.